IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Bail Appl..No. 806 of 2007()

(CRIME NO. 282/2006 OF ERNAKULAM TOWN SOUTH POLICE STATION
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PETITONER/ACCUSED NO.1:

SHAJI ALIAS KAMARU, S/O.ALI AHAMMED,
AGED 29 YEARS, PALAPETTI HOUSE,
THIRUVATHARA, CHAVAKKAD, THRISSUR DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HONOURABLE DISTRICT
AND SESSIONS COURT, ERNAKULAM REPRESENTED
BY CIRCLE INSPECTOR OF POLICE,
ERNAKULAM TOWN SOUTH POLICE STATION,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 806 OF 2007 A

Dated this the 12th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the first accused in Crime No.282/2006 of Ernakulam Town South Police Station for offences punishable under Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956, seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that an earlier application filed by the petitioner before this court as B.A. No.4706/2006 was dismissed by this court.

3. The case of the prosecution is that the petitioner, who runs a brothel, had brought accused Nos.2 and 3 (girls from Andhra Pradesh) to a house at Chilavannur at Ernakulam and had made them available to his customers namely, accused Nos.5 to 7, for immoral sexual activities. Apart from the fact that this court was not inclined to grant anticipatory bail to the petitioner, custodial interrogation of the petitioner is inevitable for unfolding the ramification of the racket. I am not inclined to grant anticipatory bail to the petitioner. There is no reason why the petitioner

should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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